

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DENNIS ALLEN, et al. : Case No. C-1-01-159
Plaintiffs : Judge Herman S. Weber
v. : Magistrate Judge Timothy S. Hogan
JOHN CRARY, et al. :
Defendant/ :
Third-Party Plaintiff : **THIRD-PARTY DEFENDANT SHIRLEY**
: **MONROE S MOTION FOR SUMMARY**
v. : **JUDGMENT**
POLLY JONES, et al. :
Third-Party Defendants :
:

* * * * *

Third-Party Defendant, Shirley Monroe (Monroe), moves this Court pursuant to Fed. R. Civ. Pro. 56 for summary judgment on the third-party claim for indemnification asserted against Monroe by Defendant John L. Crary. A supporting memorandum is attached and filed herein. Monroe also has filed herein her proposed Findings of Fact and Conclusions of Law.

Respectfully submitted,

s/ David M. Cook

David M. Cook (0023469)
Stephen A. Simon (0068268)
DAVID M. COOK, LLC
22 West Ninth Street
Cincinnati, Ohio 45202
Phone: (513) 721-7500
Fax: (513) 721-1178

Trial Attorneys for Shirley Monroe

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served this 10th day of November, 2003, via U.S. regular mail, postage prepaid, upon the following:

Leonard Kristal
107 Diablo Drive
Kentfield, California 94904

Stephen R. Felson
617 Vine Street
Suite 1401
Cincinnati, Ohio 45202
Trial Attorney For Defendant Crary

Paul D. Marotta
Christopher D. Denny
Jennifer Chen
The Corporate Law Group
500 Airport Blvd., Suite 120
Burlingame, CA 94010
Of Counsel for Defendant Crary__

s/ David M. Cook

ATTORNEY FOR SHIRLEY MONROE